

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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CLAIRE FALLESON,  
on behalf of herself and all other  
employees similarly situated,

Plaintiff,

DECISION AND ORDER

03-CV-6277L

v.

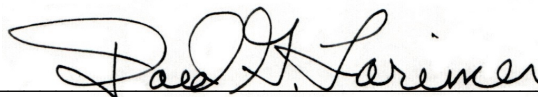
PAUL T. FREUND CORPORATION,

Defendant.

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Plaintiff, a former employee of defendant, brings this action pursuant to the Fair Labor Standards Act and New York Labor Law. The Court was recently informed that the parties have reached a tentative settlement, which they are working to finalize. Accordingly, the pending in limine motions filed by both parties in anticipation of trial (Dkt. #67, #71, #75, #78) are hereby dismissed as moot, without prejudice to their renewal in the event that the anticipated settlement does not materialize.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "David G. Larimer", is written over a horizontal line.

DAVID G. LARIMER  
United States District Judge

Dated: Rochester, New York  
February 23, 2010.